IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 14234 of 2007(T)

PETITIONER:

K.KUNHAHAMMED, S/O.MOHAMMED,
KUNDIL HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:

---

1. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, MALAPPURAM.

2. THE ASSISTANT COMMISSIONER OF POLICE,
CITY TRAFFIC, KOZHIKODE.

Addl.R-3. R.MOHANKUMAR, PROPRIETOR,
M/S.VINAYAKA BUS SERVICE, "KARTHIKA',
MANGATTU LANE, POONKUNNAM, THRISSUR-2.

Addl.R3 is impleaded as per order on IA No.9969/2007 dtd.23.7.2007.

BY ADV. SRI.K.V.GOPINATHAN NAIR
BY SR.GOVT. PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING:

APPENDIX (WP(C) NO.14234 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of Order dtd. 13.9.1999 issued by R1.

Ext.P2: Copy of Order dtd.29.9.1999 issued by R1.

Ext.P3: Copy of Judgment dtd.29.9.2003 in OP No.15309/03 Y.

Ext.P4: Copy of representation dtd.20.4.07 submitted by the petitioner before R1.

RESPONDENTS' EXHIBITS:

Ext.R3(a): Copy of the objection filed by the 3rd respondent before the 1st respondent dtd.27.4.2007.

Ext.R3(b): Copy of the proceedings of R1 issued on 24.5.2007.

Ext.R3(c): Copy of the objection filed by R3 before R1 dtd.3.5.2007.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 14234 OF 2007 - T

Dated this the 23rd day of July, 2007

J U D G M E N T

The petitioner applied for variation of permit in respect of his limited stop ordinary service. The petitioner's application was rejected by the R.T.A. The petitioner preferred M.V.A.A.No.629 of 1999 before the State Transport Appellate Tribunal and a temporary permit was directed to be issued to the petitioner for the extended service. However, the Tribunal did not extend the interim order in the appeal. The petitioner approached this Court by filing O.P.No.15309 of 2003. This Court disposed of the writ petition directing that if any objection is received from the operators on the route up to Valanchery regarding the timings of the petitioner's vehicle, the first respondent will consider the same and take a decision with notice and opportunity to the petitioner and other affected operators. The petitioner now submits that the directions in the judgment have not been complied with.

2. Now the third respondent has produced Ext.R3(b) wherein objections were called for regarding the proposed timings to be issued to the petitioner. Ext.R3(c) is the objection filed by the additional third respondent. Both the parties now agree that the writ petition can be disposed of directing the first respondent to settle the timings after considering the objections filed by the intending objectors.

3. In the above facts and circumstances of the case, I dispose of this writ petition with a direction to the first respondent to finalise the settlement of timings in respect of the petitioner's service after considering the objections, expeditiously. This shall be done within a period of two months from the date of receipt of a copy of this judgment.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007